



# Auburn cop faces indictment

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A veteran officer with the Auburn Police Division is facing a multiple count federal indictment on accusations that he received payoffs to have charges reduced or dropped. Details of the indictment against Officer Tyron White aren't scheduled to be released until sometime today. But

White's attorney, Julian McPhillips, said Tuesday that a three-month FBI investigation into alleged police wrongdoing singled out his client. "They have been questioning whether Mr. White received money for working to get charges in certain cases reduced or dropped," McPhillips said.

"He vehemently denies all the charges against him. "Mr. White has been singled out and

made a scapegoat in this federal investigation," McPhillips said. "He has often in court worked to have tickets reduced or modified when circumstances dictate or as part of a plea bargain. It's nothing that no fewer than 20 other Auburn police officers have done on a routine basis. That process is something that happens every day in court rooms in every part of this state and

the nation."

"But never has Tyron White received any monetary reward or payoff for his actions and to suggest otherwise is simply not true,"

White has been on administrative leave since the start of the FBI probe, which is standard procedure during any type investigation, according to Auburn City Manager David Watkins.

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## OPELIA-AUBURN MANAGER

### AUBURN: Police Officer faces indictment

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"I was informed by my assistant today that an indictment had been presented," Watkins said. "When we receive the indictment, the city will then evaluate the charges and take appropriate steps to deal with the employee in a manner that is consistent with city policy. This has been a lengthy investigation, one that was very thorough. Now that the investigation is complete, we will move

to make sure that the reputation of this department cannot be called into question."

Auburn Police Division Chief Frank deGraffenreid

was out of town attending a law enforcement conference Tuesday and unavailable for comment, officials said.

White has 16 years of service with Auburn police and has been honored by the Auburn City Council on three separate occasions, according to Opelika-Auburn News records.

McPhillips said he received word last week that an indictment would likely come this week. He said he is confident

White will be cleared of any wrongdoing as the case proceeds through the courts.

The Montgomery attorney said he has interviewed several witnesses who testified in the

FBI probe of White, and has six separate individuals who said that they had never seen evidence that White received payment of any kind.

"Officer White has never received money in exchange for any of his actions by any individual," McPhillips said. "He will fight these charges until the end and we feel confident that in time his name will be cleared."

Late last month the Auburn Police Division also launched an internal affairs investigation into allegations that an officer choiced and injured a suspect during his arrest. That investigation is ongoing.

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A MEDIA GENERAL NEWSPAPER

# Officer: Auburn division 'racist'

MITCH SNEED  
STAFF WRITER

An Auburn Police Division officer awaiting federal charges of alleged ticket fixing said the case against him is in retaliation for speaking up against racial bias inside the department and filed a federal complaint Thursday citing specific examples of racism.

An eight-count federal indictment was handed down Tuesday against former Marine and 16-year department veteran Tyrone White, accusing him of taking payments to make charges against individuals go away.

White had planned to turn himself in, but as of Thursday no warrant had been issued for his arrest, said his attorney, Julian McPhillips.

However, McPhillips filed an Equal Employment Opportunity Commission (EEOC) complaint Thursday claiming that White is being singled out because he is black and has been outspoken about racial prejudice inside the Auburn Police Division.

"Mr. White denies any wrongdoing and will fight these charges until the end," McPhillips said. "He has worked through proper channels to have charges reduced in exchange for a guilty plea, but never has he taken any payment for that process which is something that is done by officers in every department every day."

Added McPhillips, "He feels like this investigation and the pending charges are the result of discrimination that exists inside the department. That's the reason we have filed a complaint and want to get on record stating the grounds that we feel led to this action."

Auburn Public Safety Director Bill James said claims of discrimination or racial bias in the Auburn Police Division or any other city department won't be tolerated.

"We have a very strict anti-harassment policy in place in our department," James said. "We do not tolerate that kind of activity in any way, shape or form. We have training in place to educate our employees and we have mechanisms in place so that if there is even a hint of any kind of discriminatory practices suspected, a complaint can be filed with the department head or the city manager."

"These complaints will be investigated thoroughly and dealt with judiciously. To my knowledge, (Tyrone White) had not filed any kind of complaint with anyone here at the city."

The complaint was filed late Thursday and city officials haven't had an opportunity to respond to the charges.

Auburn Mayor Bill Ham said that typically complaints are filed soon after incidents take

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# Attorney for Auburn cop challenges jury process

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The attorney for Tyrone White, the

Auburn Police Division officer awaiting trial on federal ticket-fixing charges, has filed a motion challenging the way ju-

rors will be chosen in the case.

Julian McPhillips said it will be tough

for his client — an African-American — to get a fair trial because the racial

makeup of juries rarely matches the racial makeup of the area.

In one of three motions filed on Friday, McPhillips challenges the "petit" or trial jury system itself for "systematic under- representation of black Americans."

In another, McPhillips asks for dis-

missal of White's eight-count Indict-

ment on grounds that there weren't

enough blacks on the Montgomery

grand jury that heard his case. Ac-

cording to McPhillips, White's jury

didn't come close to matching the 53

percent black population of Mont-

gomery County.

"Time after time we have seen in this court that we don't get a jury pool with adequate black representation,"

McPhillips also filed a motion request- ing inspection and copy of all jury sys- tem records.

"Race is going to be a big part of this case," McPhillips said. "Time after time we have seen in this court that we don't get a jury pool with adequate black rep- resentation. The jury pool should reflect the population of the area.

"Rarely does that happen in the Mid- dle District of Alabama," said McPhillips. "The black population of those counties is nearly 40 percent. Nev- er do we see a jury pool that is 40 percent

black. We need to know why this continues to happen. That's the purpose of these motions."

White was inducted on eight separate counts of what the legal document terms "extortion." In the White "unlaw- fully obtained United States currency" by "wrongful use and threat of use of fear." In exchange for treating eight dif- ferent people "favorably in connection with a pending City of Auburn Munici- pal Court case, in violation of Title 18, United States Code 1831 (2)"

White remains on paid administra- tive leave pending trial. A pre-trial hearing is set for Nov. 16 in Mont- gomery.

ment were not in the indictment, but instead initials were used to identify those making the claims. McPhillips alleges that many of those who testified against White were coerced by officials.

McPhillips has also filed an Equal Em- ployment Opportunity Commission (EEOC) complaint claiming that White is being singled out because he is black and has been outspoken about racial

prejudice inside the Auburn Police Divi- sion.

Since the matter is in litigation, Auburn officials have refused to com- ment on the specifics of the charges or the EEOC complaint. No previous com- plaints have been filed against the po- lice division by employees alleging un- fair treatment. Officials have said throughout the process that they coop- erated fully with the investigation.

White remains on paid administra- tive leave pending trial. A pre-trial hearing is set for Nov. 16 in Mont- gomery.



# PRESS RELEASE

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## **AUBURN POLICE OFFICER INDICTED ON FEDERAL CHARGES**

Leura G. Canary, United States Attorney for the Middle District of Alabama, announced that a federal grand jury returned an eight count indictment against Tyrone White, age 41, of Auburn, Alabama. Mr. White is a police officer for the City of Auburn, Alabama.

The indictment charges that Tyrone White, an Auburn police officer, acting under color of official right, unlawfully demanded and accepted money from individuals in exchange for favorable treatment in pending municipal court cases. Mr. White's conduct is charged to violate Title 18, United States Code, Section 1951(a), entitled "Interference with commerce by threats or violence." Mr. White is charged with "wrongful use and threat of use of fear" to unlawfully obtain money from individuals.

If convicted, Mr. White faces a maximum prison sentence of 20 years per count and a fine not to exceed \$250,000. Mr. White is

**Members of the public are reminded that the indictment contains only charges. A defendant is presumed innocent of the charges and it will be the government's burden to prove a defendant's guilt beyond a reasonable doubt at trial.**

scheduled to be arraigned on October 19, 2005. The trial of Mr. White's case has not yet been set. Mr. White has been assigned to administrative leave since the onset of the FBI's investigation into possible corruption at the Auburn Police Department. In view of the federal indictment against Mr. White, the Auburn Police Department is considering what, if any, further administrative measures should be taken in accordance with city policy.

This case was investigated by the Federal Bureau of Investigation at the request of the Auburn Police Department. The prosecutor handling the case is Assistant United States Attorney Todd A. Brown.

**Members of the public are reminded that the indictment contains only charges. A defendant is presumed innocent of the charges and it will be the government's burden to prove a defendant's guilt beyond a reasonable doubt at trial.**